

Message Text

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C O N F I D E N T I A L TUNIS 4661

E.O. 11652: GDS
TAGS: SHUM TS
SUBJECT: HUMAN RIGHTS: COUNTRY EVALUATION PLAN: TUNISIA

REF: STATE 146458

1. EMBASSY IS IN GENERAL AGREEMENT WITH DEPARTMENOS FINE DRAFT HUMAN RIGHTS EVALUATION PLAN FOR TUNISIA. DRAFT IN ITS PRESENT FORM PROVIDES A BALANCED AND UP-TO-DATE DESCRIPTION OF HUMAN RIGHTS CONDITIONS AND MAKES USEFUL SUGGESTIONS FOR U.S. HUMAN RIGHTS POLICY IN TUNISIA. WE WOULD LIKE TO MAKE THE FOLLOWING SUGGESTIONS (KEYED TO PARAGRAPH NUMBERS SHOWN IN REFTEL):
2. PARA 4 - IN FIRST SENTENCE DELETE "HAVE SEEN NO EVIDENCE," AND SUBSTITUTE "DO NOT HAVE EVIDENCE AT OUR DISPOSAL SUBSTANTIATING CHARGE." SUBSTITUTE SECOND SENTENCE BEGINNING WITH "WHILE SOME ALLEGATIONS..." WITH "THE GOVERNMENT HAS VEHEMENTLY DENIED SUCH ALLEGATIONS, SOME OF WHICH HAVE BEEN MADE BY ANTI-GOVERNMENT ELEMENTS WHOSE OBJECTIVITY COULD BE SUSPECT."
3. PARA 5 - IN FIRST SENTENCE DELETE "NOW BEEN WRITTEN TO." IN SAME SENTENCE DELETE PORTION FOLLOWING "GENERALLY" AND SUBSTITUTE "...GIVEN DUE PROCESS OF LAW, INCLUDING RIGHT TO COUNSEL AND PUBLIC TRIAL. THERE IS NO PATTERN OF ARBITRARY ACTIONS SERIOUSLY AFFECTING PERSONAL LIBERTIES."

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4. IN PARA 6 ADD "...TO YOUTH AND PUBLIC OPINION."
5. PARA 7 - SUBSTITUTE THE FOLLOWING: "WHILE THE TUNISIAN CONSTITUTION GUARANTEES FREEDOM OF PRESS, ASSEMBLY AND EXPRESSION, IN PRACTICE SUCH INDIVIDUAL RIGHTS ARE SOMETIMES CURTAILED WHEN THE IMMEDIATE INTERESTS OF THE

PARTY OR GOVERNMENT ARE SEEN TO BE DIRECTLY CONCERNED. THE GOVERNMENT'S OBJECT IS TO PREVENT THE ORGANIZATION OF GROUPS WHICH IT BELIEVES MIGHT CHALLENGE AND EVENTUALLY SUPPLANT THE DESTOURIAN SOCIALIST PARTY (PSD), OR OTHERWISE DISTURB PUBLIC TRANQUILITY. THE GOT IS ALSO SENSITIVE TO PUBLIC CRITICISM WHICH WOULD TEND TO SHOW IT, THE PSD PARTY OR SENIOR GOVERNMENT OFFICIALS IN AN UNFAVORABLE LIGHT. FOR THIS REASON, PERMISSION TO HOLD PUBLIC POLITICAL MEETINGS OUTSIDE OF THE ESTABLISHED INSTITUTIONAL CONTEXT ARE USUALLY DENIED, AND MEDIA COVERAGE OF DOMESTIC EVENTS IS CLOSELY REGULATED. A RECENT EXAMPLE OF THIS ATTITUDE IS THE GOVERNMENT'S REFUSAL TO AUTHORIZE THE "CONFERENCE ON PUBLIC LIBERTIES" WHICH A PRIVATE GROUP OF CITIZENS HAD SOUGHT TO HOLD ON JUNE 10. ANOTHER IS THE GOVERNMENT'S FAILURE TO DATE TO APPROVE THE LONGSTANDING REQUEST FROM A NUMBER OF PROMINENT "LIBERAL" SOCIAL DEMOCRAT" ACTIVISTS FOR AUTHORIZATION TO PUBLISH AN INDEPENDENT OPPOSITION NEWSPAPER. THIS REQUEST OFFICIALLY REMAINS UNDER CONSIDERATION AND TUNISIAN LAW PROHIBITS THE CIRCULATION OF TRACTS OR PRIVATE PUBLICATIONS WITHOUT A LICENSE.

6. PARA 8 - SUBSTITUTE THE FOLLOWING: "THERE ARE INDICATIONS, HOWEVER, THAT THE TUNISIAN GOVERNMENT IS INCREASINGLY AWARE OF THE IMPORTANCE OF HUMAN RIGHTS AS BOTH A DOMESTIC AND AN INTERNATIONAL ISSUE. THE AUTHORIZATION OF THE ORGANIZATION OF A TUNISIAN LEAGUE FOR THE RIGHTS OF MAN, IN APRIL IS AN CONFIDENTIAL

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EXAMPLE OF THIS GROWING SENSITIVITY. THIS REPRESENTS A SIGNIFICANT POLITICAL DEPARTURE FOR THE TUNISIAN GOVERNMENT; AT NO TIME PREVIOUSLY HAS THE GOVERNMENT GIVEN AUTHORIZATION FOR THE FORMATION OF A POLITICALLY ORIENTED GROUP OUTSIDE THE ESTABLISHED PARTY/GOVERNMENTAL INSTITUTIONAL STRUCTURE. THE LEAGUE IS ASSOCIATED WITH THE INTERNATIONAL FEDERATION FOR THE RIGHTS OF MAN ANTLWTS MANDATE ENCOMPASSES HUMAN RIGHTS IN GENERAL. THE GOVERNMENT'S APPROVAL OF THE LEAGUE'S FORMATION NOW INDICATES A WILLINGNESS TO ENTER INTO A PUBLIC DIALOGUE ON HUMAN RIGHTS IN TUNISIA AS WELL AS ELSEWHERE."

7. PARA 12 - IN LAST SENTENCE, INSERT "NEARLY" AFTER "WHERE."

8. PARA 15 - IN FIRST SENTENCE, AFTER "OUR" INSERT "DEVELOPMENT AND SECURITY" BEFORE "ASSISTANCE."

9. PARA 17 - ADD NEW FINAL PARAGRAPH: "AT PRESENT THE TUNISIAN GOVERNMENT'S PERFORMANCE IN HUMAN RIGHTS IS EVOLVING IN A POSITIVE MANNER. IN ORDER TO ENCOURAGE THIS PROCESS WE SHOULD CONTINUE TO EXPRESS TO THE TUNISIAN GOVERNMENT OUR AWARENESS OF EXISTING SHORTCOMINGS IN HUMAN RIGHTS CONDITIONS IN TUNISIA AND OUR INTEREST IN SEEING

CONTINUED IMPROVEMENT."

MULCAHY

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